

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TARA PICHLA, individually and on behalf	)	
of the class defined herein,	)	
	)	
Plaintiff,	)	Judge Lindberg
	)	
v.	)	Case No.: 08 C 3085
	)	
PORTFOLIO RECOVERY ASSOCIATES, LLC.	)	Magistrate Judge Cole
	)	
Defendant.	)	

**STIPULATION REGARDING MOTION FOR CLASS CERTIFICATION**

On June 27, 2008, plaintiff filed a motion for class certification, and a supporting memorandum of law. (Docket Nos. 15 & 16.) Plaintiff filed this motion because some Courts have found that a Fed.R.Civ.P. 68 offer of judgment to a putative class representative, made prior to the filing of a class certification motion, would moot any claim that a class of similarly situated persons can be certified. See *White v. Humana Health Plan, Inc.*, 2007 U.S. Dist. LEXIS 32263 (N.D.Ill. May 2, 2007). Plaintiff does not concede that a Rule 68 offer has this effect, but filed the motion out of caution.

After a conference between counsel, the parties now hereby stipulate as follows:

1. The motion for class certification should be withdrawn, without prejudice.
2. Defendant agrees to make no attempt to moot plaintiff's claim that a class should be certified in this case, whether through a Fed.R.Civ.P. 68 offer of judgment or otherwise.
3. Plaintiff may re-file a motion for class certification after the parties have taken

discovery. With respect to that motion, both plaintiff and defendant reserve the right to assert any facts, and make any good-faith arguments, regarding the motion's merits.

SO STIPULATED on this day, July 2, 2008.

*For plaintiff*

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**CERTIFICATE OF SERVICE**

I, Francis R. Greene, hereby certify that on July 2, 2008, I caused to be filed the foregoing document via the CM/ECF System, which sent notification of such filing to the following parties via electronic mail:

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